

Notice of Allowability

Application No.

10/670,651

Examiner

James M Hewitt

Applicant(s)

JONES, JIM

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 8/30/04.
2. ☒ The allowed claim(s) is/are 11 renumbered as 1.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

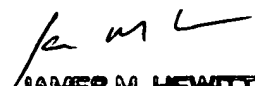
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JAMES M. HEWITT
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles Gunter on 11/18/04.

The application has been amended as follows:

In the specification:

On the second line of the paragraph appearing on page 6 lines 3-19, -- plastic-- has been inserted after "female".

On the third line of the paragraph appearing on page 6 lines 3-19, -- plastic-- has been inserted after "female".

On the first line of the paragraph appearing on page 6 lines 21-29 and page 7 lines 1-5, --plastic-- has been inserted after "female".

On the fifth line of the paragraph appearing on page 6 lines 21-29 and page 7 lines 1-5, --plastic-- has been inserted after the first and second instances of "female".

On the first line of the paragraph appearing on page 8 lines 12-14, the phrase "another embodiment of" has been deleted.

On the second line of the paragraph appearing on page 8 lines 12-14, the phrase "in which the female, bell end is formed of metal and" has been deleted.

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On the second line of the paragraph appearing on page 8 lines 12-14, the phrase "the metal" has been replaced with --the--.

The paragraph appearing between lines 6 and 8 of page 12 has been deleted.

On the second line of the paragraph appearing on page 16 lines 4-12, --plastic-- has been inserted before "first".

On line one of the abstract, --plastic-- has been inserted after "female".

In the claims:

In claim 11 line 2, --plastic-- has been inserted after "female".

In claim 11 line 24, "pipe." has been replaced with --pipe, wherein the end faces of the ring segments protrude slightly from the resilient elastomeric material of the gasket body to mate with and contact the forward lip region of the gland fitting.--

Claim 19 has been canceled.

DRAWINGS

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Figure 4 should be amended to depict plastic pipe and not metal pipe. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose, singly or in combination, a pipe joint as claimed in detail in claim 11.

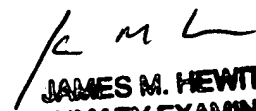
The closest prior art includes: Takemura et al (US 6,467,813), Jones (US 4,867,488), Sato et al (US 4,092,036), Holmes, IV et al (US 6,502,867), Walworth et al (US 5,067,751), Peting et al (US 5,037,144), and Copeland (US 2004/0075217 A1). None of these references, singly or in combination, discloses a pipe joint as claimed in claim 11, specifically the limitations requiring the pipes to be plastic and the limitation "wherein the end faces of the ring segments protrude slightly from the resilient elastomeric material of the gasket body to mate with and contact the forward lip region of the gland fitting". And to further address the Copeland reference, it should be noted that Copeland relates to a "mechanical joint", comprised of and defined by metal (ductile iron) pipe, and for at least the disclosure provided in the section "C. Description of the Prior Art" of Applicant's specification, it would not have been obvious to employ plastic as the material for the pipe in Copeland in place of iron.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hewitt whose telephone number is 703-305-0552. The examiner can normally be reached on M-F, 930am-600pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 703-308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JAMES M. HEWITT
PRIMARY EXAMINER